

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Crl.Rev.Pet.No. 272 of 2000()

**CRA .35/1998 of SESSIONS COURT, THRISSUR
CC.355/1995 of JUDL. MAGISTRATE OF FIRST CLASS COURT,
KODUNGALLUR.**
.....

REVN. PETITIONERS/ ACCUSED

- 1. BRITE, S/O.RAMAKRISHNAN,
PUTHENPURAKAL PAINUR,
EDATHIRITHY.**
- 2. SINGAPPAN, S/O. VASU, KUTTASERY, DO. DO.**
- 3. RAJESH, S/O. SHANMUGHAN, ALAKAL DO. DO.**
- 4. SHAJI, S/O. GANGADHARAN, KOLUR DO. DO.**
- 5. PARAMESWARAN, S/O. SANKUNNY, MUTTAKARA, DO. DO.**

**BY ADV. SRI.P.K.ASHOKAN
SRI. RAJESH NAIR**

RESPONDENT: COMPLAINANT

**STATE OF KERALA, REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.AMJAD ALI.

**THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

K.R.UDAYABHANU, J

Crl.R.P.No.272 of 2000

Dated this the 10th day of August, 2007

O R D E R

The revision petitioners are the accused in C.C.No.355/95 in the court of JFCM, Kodungallur and stands convicted with respect to the offences under Sections 143, 147, 148, 324, 326 read with Section 149 IPC and sentenced to undergo simple imprisonment for one month each for the offence under Section 143 IPC, simple imprisonment for two months each for the offence under Section 147 IPC and simple imprisonment for two months each for the offence under Section 148 IPC, simple imprisonment for three months each for the offence under Section 324 IPC and R.I. for a period of six months and to pay a fine of Rs.5,000/- each for the offence under Section 326 IPC.

2. The defacto complainant/the victim and the accused had filed a joint application seeking to compound the offence. In the circumstances, the accused is acquitted for the offence under Section 324 IPC. The rest of the offences are not compoundable. Hence, in the circumstances, the sentence is modified and the

accused is sentenced to pay a fine of Rs.1,000/- each and in default, to undergo simple imprisonment for two weeks for the offence under Section 143 IPC and they are also sentenced to pay a fine of Rs.1,000/- each for the offence under Section 147 IPC and in default, to undergo simple imprisonment for two weeks. They are also sentenced to pay a fine of Rs.1,000/- each and in default, to undergo simple imprisonment for two weeks for the offence under Section 148 IPC. They are also sentenced to imprisonment till the rising of the court and to pay a fine of Rs.1,000/- each for the offence under Section 326 IPC. It is submitted that altogether a sum of Rs.25,000/- has been remitted before the court below as fine as per the order of this court. The balance amount in deposit will be paid to PW1, the defacto complainant. The revision petitioners/accused shall appear before the court of Judicial First Class Magistrate, Kodungallur on 5.9.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

**K.R.UDAYABHANU,
JUDGE**

csl

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